

BEFORE THE
PUBLIC SERVICE COMMISSION OF WISCONSIN

Investigation to Assess Wisconsin's Potential for the 05-EI-144
Development of Wind Energy Resources in Lake Michigan
and Lake Superior

EWINDFARM, INC.'s REQUEST TO INTERVENE

Pursuant to Wis. Admin. Code § PSC 2.21, EWindfarm, Inc. hereby requests leave to intervene as a party in the above-captioned matter. The grounds for this request are as follows:

1. EWindfarm, Inc. ("EWind") develops wind farms throughout the United States and has successfully planned, permitted and constructed over 1000 MW of wind generation capacity in Wisconsin, Minnesota, Colorado, Texas, California, Wyoming, Kansas, New York and other states.

2. EWind is currently in the process of developing one or more wind farms to be located 1-2 miles off the shore of Wisconsin in Lake Michigan (hereinafter referred to as the "Great Lakes Wind Project"). For approximately one year, EWind has been working with the Wisconsin Office of Energy Independence, State of Wisconsin Department of Natural Resources, the Wisconsin Board of Commissioners of Public Lands, the United States Army Corps of Engineers, and various other Wisconsin and federal agencies regarding its Great Lakes Wind Project.

3. EWind's engineers, meteorologists, and other wind farm specialists have substantial experience in the areas of: site screening, evaluation and selection; wind turbine selection and site suitability evaluation; utility and transmission interconnection; and operational

and maintenance issues associated with wind farms. This experience includes offshore wind farms.

4. As set forth in the May 13, 2008 Great Lakes Wind on the Water Meeting Minutes in this Docket, the Public Service Commission of Wisconsin (“PSC”) will investigate and issue a report regarding, among other matters, the jurisdiction of various state and federal agencies over offshore wind development in the Great Lakes, possible Wisconsin law changes, the limits of the riparian zones, navigational safety issues, EMF, flicker, lake bed lease prices, the scale of the first Great Lakes wind farm, lake ice impacts on turbines, transmission infrastructure and MISO issues, the impacts of offshore wind farms on communities, socioeconomic benefits of wind farms and land use planning. Four Work Groups have been created to investigate these various issues.

5. Pursuant to Wis. Admin. Code § PSC 2.21(1), a “person whose substantial interests may be affected by the commission’s action or inaction in a proceeding shall be admitted as an intervenor.” The PSC’s recommendations and report on the issues identified in paragraph no. 4 above will affect the substantial interests of EWind, *i.e.*, its proposed Great Lakes Wind Farm, entitling EWind to intervention as of right. *See* Wis. Admin. Code § PSC 2.21(1); *Re Consol. Water Power Co.*, Docket No. 5-DR-105, Order (Oct. 4, 2005), 2005 WL 3877438, at *2-3; *Wisconsin’s Environmental Decade, Inc. v. PSC*, 69 Wis. 2d 1, 17, 230 N.W.2d 243 (1975)

6. Pursuant to Wis. Admin. Code § PSC 2.21(2), a person not satisfying the criteria for intervention as of right, “may nevertheless intervene ... if the person’s participation likely will promote the proper disposition of the issues to be determined ...and if the person’s participation will not impede the timely completion of the proceeding.” EWind’s employees

have substantial expertise in wind farm development, including offshore wind farm development. Participation by EWind in all four of the Work Groups (or at the least presentation by EWind on substantive issues to be decided by all four Work Groups) will promote the proper disposition of the issues to be investigated by the PSC. Because the Work Groups are just now beginning to meet, intervention by EWind will not impede the timely completion of the investigation. *In the Matter of the Application for All Approvals Necessary for the Transfer of Ownership and Operational Control of the Kewaunee Nuclear Power Plant From Wis. Public Service Corp. and Wis. Power and Light Co. to Dominion Energy Kewaunee, Inc.* Docket No. 05-EI-136, Order (March 11, 2004), 2004 WL 741804, at * 3.

7. Pursuant to the April 30, 2008 Standing Order on Requests to Intervene, PSC Ref. No. 93831, EWind's Request to Intervene is deemed granted.

Dated this 28th day of May, 2008.

Respectfully submitted,

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